

Committee on the Budget • Majority Caucus U.S. House of Representatives Iim Nussle, Chairman

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Volume 4, Number 18

Summarizing budgetary issues in legislation scheduled for the House floor

12 July 2003

Week of 12 July 2004

## **SUSPENSION CALENDAR**

1) Expressing the Sense of Congress That Dinah Washington Should Be Recognized for Her Achievements as One of the Most Talented Vocalists in American Popular Music History (H.Con.Res. 144).



This resolution has no budget implications.

2) Congratulating the California State University, Fullerton Titans Baseball Team for Winning the 2004 National Collegiate Athletic Association Division I College World Series (H.Res. 704). This resolution has no budget implications.



3) To Resolve the Boundary Conflicts in Barry and Stone Counties in the State of Missouri (S. 1167).



This bill establishes a process for the Forest Service and the U.S. Army to resolve boundary disputes with landowners around the Mark Twain National Forest. The bill gives property owners who have ownership disputes with the two agencies 15 years to notify the Federal Government of their claims. For a valid claim, the agency will either convey the property to the owners or retain Federal ownership and compensate the private owners for its value. This bill neither increases direct spending – spending not subject to appropriations – nor reduces revenue.

- 4) Encouraging a National Community Health Center Week (H.Res. 646). This resolution expresses the sense of the House of Representatives that there should be established a National Community Health Center Week to raise awareness of health services provided by community, migrant, public housing, and homeless health centers. The resolution has no budget implications.
- 5) Honoring David Scott Tidmarsh, the 2004 Scripps National Spelling Bee Champion (H.Res. 684). This resolution has no budget implications.



- 6) Honoring Former President Gerald R. Ford (H.Res. 702). This resolution honors former President Gerald R. Ford on the occasion of his 91st birthday, and extends the best wishes of the House of Representatives to former President Ford and his family. The resolution has no budget implications.
- 7) To Designate the Facility of the United States Postal Service Located at 4737 Mile Stretch Drive in Holiday, Florida, as the "Sergeant First Class Paul Ray Smith Post Office Building" (H.R. 4380). This bill neither increases direct spending nor reduces revenue.



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PLEASE NOTE: This document addresses budgetary issues only. It should not be taken to address support or opposition on any other grounds. A green flag indicates no serious budgetary or budget compliance concerns. A yellow flag indicates moderate or potential problems. A red flag indicates serious problems. Also note: Floor schedules and legislative details are subject to change after publication.

This document was prepared by the majority staff of the Committee on the Budget, U.S. House of Representatives. It has not been approved by the full committee and therefore may not reflect the views of all the committee's members.

8) SUTA Dumping Prevention Act of 2003 (H.R. 3463).



The bill seeks to prevent fraud in the unemployment

compensation system under the State Unemployment Tax Acts [SUTA]. It requires State laws to prevent employers from manipulating tax rates by transferring "unemployment experience" - used in calculating unemployment tax rates – when a business is transferred to another employer. A cost estimate for this legislation has not been published, but it is not expected to increase direct spending or reduce revenue.

9) Urging the President to Resolve the Disparate Treatment of Direct and Indirect Taxes Presently Provided by the World Trade Organization (H.Res. 705).



This resolution has no budget implications.

10) Urging the Government of the People's Republic of China to Improve its Protection of Intellectual Property Rights (H.Res. 576).



This resolution has no budget implications.

11) Viet Nam Human Rights Act of 2003 (H.R. 1587). This bill prohibits U.S. nonhumanitarian assistance to



Viet Nam unless the President certifies to Congress that: Viet Nam has made substantial progress toward releasing all political and religious prisoners, and that neither any official of Viet Nam nor any entity owned by it was complicit in human trafficking. This bill neither increases direct spending nor reduces revenue.

12) Concerning the Importance of the Distribution of Food in Schools to Hungry Or Malnourished Children Around the World (H.Con.Res. 422).



This resolution has no budget implications.

13) Reaffirming Unwavering Commitment to the Taiwan Relations Act (H.Con.Res. 462). This resolution has no budget implications.



14) Commending the Government of Portugal (H.Res. 688).



This resolution commends the Government of Portugal and the

Portuguese people for their long-standing friendship, stalwart leadership, and unwavering support of the United States in the effort to combat international terrorism. This resolution has no budget implications.

15) Northern Uganda Crisis Response Act (S. 2264). This bill requires the Secretary of State to submit a report



on the conflict in Uganda. The report would include information on sources of financial and material support for the "Lord's Resistance Army" – which has been fighting the government – and actions taken by the government of Uganda, the United States, and by the international community to protect and assist civilians affected by the conflict. This bill neither increases direct spending nor reduces revenue.

16) Jamestown 400th Anniversary Commemorative Coin Act of 2003 (H.R. 1914). This bill directs the U.S. Mint to produce a \$5 gold coin and a \$1 silver coin in calendar year 2007 to commemorate the 400th anniversary of the founding of Jamestown, Virginia. The bill puts a surcharge on the sales price of \$35 for the gold coin and the \$10 for the silver coin. It designates the Jamestown-Yorktown Foundation, the National Park Service, and the Association for the Preservation of Virginia Antiquities as recipients of the resulting income, after all costs of making the coins are recouped. Consequently, the bill neither increases direct spending nor reduces revenue.

17) Marine Corps 230th Anniversary Commemorative Coin Act (H.R. 3277). This bill directs the U.S. Mint to produce a \$1 silver coin in 2005 to commemorate the 230th anniversary of the United States Marine Corps. It puts a surcharge of \$10 on the sale of each coin and designates the Marine Corps Heritage Foundation, a nonprofit entity, as the recipient of the income from the surcharge, after all costs of making the coins are recouped. Consequently, the bill neither increases direct spending nor reduces revenue.

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**Budget Week** Page 2 18) *John Marshall Commemorative Coin Act* (H.R. 2768). This bill directs the U.S. Mint to produce a \$1 silver coin in



calendar year 2005 to commemorate the 250th anniversary of the birth of Chief Justice John Marshall. The legislation would specify a surcharge of \$10 on the sale of each coin and would designate the Supreme Court Historical Society, a nonprofit entity, as the recipient of the income from the surcharge, after costs of making the coins are recouped. Consequently, the bill neither increases direct spending nor reduces revenue.

19) To Designate the Federal Building and United States Courthouse Located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse" (H.R. 3884).



This bill neither increases direct spending nor reduces revenue.

20) Commercial Aviation MANPADS Defense Act of 2004 (H.R. 4056).

This bill encourages steps to protect commercial aircraft from the threat of portable, shoulder-launched missiles (commonly known as MANPADS). The Department of Homeland Security [DHS] is currently developing technologies to combat MANPADS. The bill requires the Federal Aviation Administration [FAA] to support DHS's efforts by certifying the airworthiness of those technologies. According to the FAA, the agency already plans to do most of that work under current law. This bill neither increases direct spending nor reduces revenue.

21) To Amend the District of Columbia College Access Act of 1999 to Permanently Authorize the Public School and Private School Tuition Assistance Programs Established Under the Act (H.R. 4012).



This bill reauthorizes the District of Columbia resident tuition support program that was established in 1999. The program assists D.C. students who graduate from D.C. high schools and attend college by paying the difference between in-state and out-of-state tuition at public institutions (up to \$10,000 per year) or up to \$2,500 a year for those attending private schools. This bill neither increases direct spending nor reduces revenue.

## **LEGISLATION CONSIDERED UNDER A RULE**

Bill: Agriculture, Rural Development, Food and Drug Administration, and Related

Agencies Appropriations Act for Fiscal Year 2005 (H.R. 4766).



Committee: Appropriations

**Summary:** The bill funds various programs at the U.S. Department of Agriculture [USDA], including

Forest Service programs; conservation programs; most of the USDA's rural development, research and education programs; agricultural credit programs; the nutrition program for women, infants, and children [WIC]; the international food aid program; meat and poultry

inspection; and food marketing and regulatory programs.

Cost: According to the Congressional Budget Office [CBO], the bill will spend \$16.77 billion for

discretionary programs, equal to the suballocation given to the Agriculture subcommittee

by the full committee. This is \$67 million less than the enacted fiscal year 2004 appropriation, and \$203 million above the administration's fiscal year 2005 request.

**Budget Act:** The bill does not violate any provision of the Congressional Budget Act. It does not

include any emergency designated spending, or any appropriations for years beyond the

budget year.

(Please see Appropriations Update, Volume 4, No. 8.)

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Legislative Branch Appropriations Act for Fiscal Year 2005 (H.R. 4755). Bill:



Committee: **Appropriations** 

**Summary:** The Legislative Branch Appropriations measure provides funding for various

> Congressional functions and support agencies. As reported – and as it will be considered on the floor - the act excludes funding for the Senate. Those amounts will be included as part of a conference report. The bill provides funding for staff legislative branch agencies, and the Architect of the Capitol. (The bill provides no funding for major new construction projects, directing that resources be focused on current projects, especially the Capitol Visitors Center.) It provides funding for the U.S. Capitol Police, the Congressional Budget

Office, the Library of Congress, the Government Printing Office, and the General Accounting Office. It also includes funds for a fitness facility for House staff.

Cost: The measure provides \$2.751 billion for Congressional operations (excluding the Senate),

which is within the suballocation, according to CBO.

**Budget Act:** Because the measure is below the suballocation provided to the subcommittee, it does

not violate section 302(f) of the Congressional Budget Act, which prohibits a

subcommittee from breaching its suballocation. The bill is not expected to include any

advance appropriations or emergency-designated budget authority.

(Please see Appropriations Update, Volume 4, No. 7.)

Bill: Project BioShield Act of 2004 (S. 15).

**Committees:** Senate Health, Education, Labor and Pensions

S. 15, as passed by the Senate, is designed to accelerate the research, development, Summary: purchase, and availability of measures to combat bioterrorist threats that could cause

public health emergencies affecting national security. Countermeasures are to be developed for biological threats considered the most dangerous by the Centers for

Disease Control and Prevention.

Cost: At the time of publication, a cost estimate was not available. The bill is not expected to

> increase direct spending or reduce revenue. S. 15 authorizes appropriations for various anti-terrorist activities, and is substantially similar to H.R. 2122, which passed the House in the 1st session of the 108th Congress. H.R. 2122 authorized discretionary appropriations of \$5.6 billion for fiscal years 2004-13 for procurement of the security countermeasures. Of that amount, \$890 million was available for fiscal year 2004, and as much as \$3.4

billion during fiscal years 2004-08.

**Budget Act:** Because the bill is not expected to increase direct spending, it will not violate the

> provisions of the Congressional Budget Act prohibiting the consideration of measures that cause a committee to breach its allocation of new budget authority. It does, however. create new contract authority without subjecting it specifically to appropriations. The legislation permits the Secretary of Health and Human Services to award contracts for stockpile vaccines required to meet the health security needs of the United States. In providing this contract authority, it violates section 401 of the Budget Act, which bars consideration of legislation that provides new authority to enter into contracts that obligate payment from the United States without specifically subjecting it to appropriation. This is a

highly technical point of order and it is expected it will be waived.

**Budget Week** Page 4 Bill: United States-Australia Free Trade Implementation Act (H.R. 4759).

Committee: Ways and Means

**Summary:** This bill implements the United States-Australia Free Trade Agreement [FTA]. The

President notified Congress, on 13 February 2004, of his intent to enter into the FTA. When it goes into effect on 1 January 2005, tariffs that currently average 4.3 percent will be eliminated on 99 percent of the tariff lines for U.S. manufactured goods exports to

Australia. Among the major provisions:

Agriculture: Duties on all U.S. agricultural exports to Australia, which totaled nearly \$700 million in 2003, will be eliminated immediately when the Agreement takes effect. Currently, Australia maintains duties of 5 percent on fresh and processed fruits and vegetables, soups, processed foods, some grains, oilseeds and other products. For some dairy products, Australia's tariffs reach 30 percent. Duties on most imports from Australia will be phased out over periods of between four and 18 years. Duties will be maintained on sugar and certain dairy products.

Government Procurement: U.S. suppliers are granted non-discriminatory rights to bid on contracts to supply Australian Government entities, including all major procuring entities and administrative and public bodies. Australia will eliminate its industry development programs, under which suppliers have had to meet various types of local content or local manufacturing requirements as conditions of their contracts.

Intellectual Property: In the copyright area, each nation must provide copyright protection for the life of the author plus 70 years. The FTA clarifies that the right to reproduce literary and artistic works, recordings, and performances encompasses temporary copies. It also calls for the U.S. and Australia to provide a right of communication to the public.

**Cost:** No cost estimate was available for this measure, though it is not expected to increase

direct spending. It may cause revenue to be reduced through the elimination or reduction of tariffs on various Australian goods. Tariffs are categorized as taxes on imports, and

hence are a revenue source.

**Budget Act:** Though revenue collected by the Federal Government may be reduced by the measure, it is not expected that this amount will cause the revenue level to be below that provided for

by the budget resolution in deemed to be in force (S. Con. Res. 95). Section 311 of the Congressional Budget Act prohibits bills from being considered that cause revenue to be less than the level provided in the budget resolution in the first year and over the period of years covered by it. In addition, because the bill is not expected to increase direct spending, the bill will not violate section 302 of the Budget Act, which prohibits bills that cause a committee to breach it's allocation of new budget authority. The bill is also not

expected to violate any other provision in the Budget Act.

Bill: Foreign Operations, Export Financing, and Related Programs Appropriations

Act for Fiscal Year 2005

**Committee:** Appropriations

**Summary:** The bill includes funding for all U.S. bilateral development assistance programs, managed

mostly by the U.S. Agency for International Development [USAID], though other smaller

agencies administer assistance programs, such as the Peace Corps and the

Inter-American and African Development Foundations. The bill also includes budget authority for the the Millennium Challenge Corporation and the Global AIDS Initiative managed by the State Department's HIV/AIDS Coordinator. Most humanitarian aid activities are funded within Foreign Operations, including USAID's disaster/famine program and the State Department's refugee relief support. It includes aid programs for

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the former Soviet Union and Central/Eastern Europe, which are jointly managed by USAID and the State Department. Security assistance (economic and military aid) for Israel and Egypt is also part of the Foreign Operations spending measure, as are other security aid programs administered largely by the State Department, in conjunction with USAID and the Pentagon.

Cost:

No cost estimate was available as of the preparation of this *Budget Week*, but it is not expected to exceed the suballocation of budget authority provided to the Appropriations Subcommittee on Foreign Operations.

**Budget Act:** 

The bill is not expected to violate any provision of the Congressional Budget Act.

(Please see forthcoming Appropriations Update.)

Prepared by ...... The Committee on the Budget

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